

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----x
SOTHEBY'S, INC.,

Plaintiff,

04 Civ. 10067 (TPG)

-----x
- against -

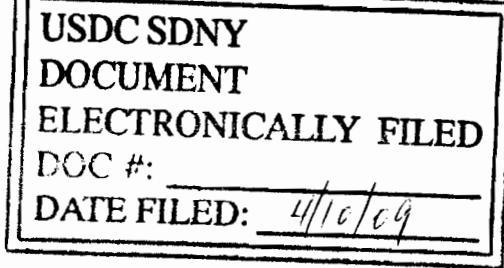
ROD SHENE, et al.,

Defendants.

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ORDER

This interpleader action was brought by Sotheby's Inc. to adjudicate claims regarding the ownership of a 16th-century German book known as the Augsburger Geschlechterbuch. In an opinion dated March 23, 2009, the court held that the German state of Baden-Württemberg is the legal owner of the book and rejected Rod Shene's claim to the book. By consent of the parties, the court had ordered on March 8, 2006, that the book would remain in the custody of Sotheby's during the pendency of this litigation. That order also imposed certain conditions on the parties' access to the book.

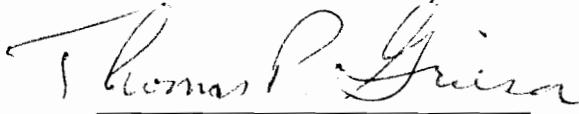
In light of the court's opinion holding that Baden-Württemberg is the legal owner of the book, the court vacates its order of March 8, 2006. However, by consent of Baden-Württemberg and Sotheby's, the court now orders the following. Sotheby's shall retain possession of the Augsburger Geschlechterbuch, as custodian for Baden-Württemberg, in



Sotheby's Manhattan premises, until the later of the date from which no appeal may be taken from the Judgment in this case, or the resolution of any such appeal. Throughout this time, Baden-Württemberg may access the book during Sotheby's normal business hours and upon reasonable notice to Sotheby's. Shene may have access to the book only on (1) the express written authority of Baden-Württemberg, and subject to reasonable conditions imposed by Baden-Württemberg, or (2) further order of this court.

SO ORDERED.

Dated: New York, New York
April 7, 2009


Thomas P. Griesa
Thomas P. Griesa
U.S.D.J.